

REMARKS/ARGUMENTS

This Amendment and the following remarks are intended to fully respond to the Office Action mailed June 7, 2006. In that Office Action, claims 43-75 were examined, and all claims were rejected. More specifically, claims 43-75 were rejected under 35 U.S.C. § 101 as they are not statutory; and claims 43-75 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Scott Weitzel (Reg. No. 54,534) of Merchant & Gould P.C. made several attempts to discuss this application and the proposed amendments with the Examiner. Although the Examiner was not successfully reached by telephone, the Examiner's email of August 3, 2006 indicated that the claims looked "OK" but the Examiner had additional concerns. It is believed that the amendments and remarks herein address the Examiner's concerns and place the application in allowable form.

Claims 43-75 are amended herein to correct matters of form. No new matter has been added.

Claim Rejections – 35 U.S.C. § 101

Claims 43-75 were rejected under 35 U.S.C. § 101 as they are not statutory. The Examiner states that claims 43-75 are not statutory because they merely recite a number of computing steps without producing any tangible result and/or being limited to a practical application within the technological arts, and that the executable steps do not produce tangible results.

Claims 43-75, as amended, recite computer-readable medium having computer executable components. Such language is believed to be statutory subject matter under 35 U.S.C. § 101. *See, In re Beauregard* 53 F.3d 1583 (Fed. Cir. 1995). Applicant respectfully requests withdrawal of the rejection.

Claim Rejections – 35 U.S.C. § 112

Claims 43-75 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant respectfully disagrees and traverses the rejection.

Applicant disagrees that language used in a preamble, but not referenced in claim, is defective under 35 U.S.C. § 112, second paragraph. However, claim 43 does recite the elements of the preamble in the body of the claim.

The examiner states:

Claim 43 recites in the [preamble] "A computer program storage medium readable by a computing system and encoding an computer program to execute components for providing access to and managing Component Object Model (COM) configuration data about application and services...". However the body of the claim does not reflect accessing and managing Component Object Model (COM) configuration data about application and services.

6/7/2006 Office Action, p. 3, last paragraph.

Claim 43 has been amended, the preamble now reciting:

A computer-readable medium having computer-executable components, when executed by a computer system cause the computer system to provide access to Component Object Model (COM) configuration data about applications and services...

The body of amended claim 43 includes a "table cursor," which provides *access* to a datastore storing "Component Object Model (COM) configuration data about applications and services," which is referenced in the claim body by "the COM configuration data."

Claim 57 is rejected for reasons similar to those presented against claim 43. Similarly, for the reasons presented above, claim 57 is believed to be allowable. An additional reason for the allowability of claim 57 is that it recites "management of Component Object Model (COM) configuration data" in the preamble and "managing COM configuration data" in the body of the claim.

Claims 43 and 57, and claims 44-56 and 58-75 which depend from claims 43 and 57, respectively, are believed to be in allowable form. Applicant respectfully requests withdrawal of the rejection.

Conclusion

This Amendment fully responds to the Office Action mailed on June 7, 2006. Still, that Office Action may contain arguments and rejections and that are not directly addressed by this Amendment due to the fact that they are rendered moot in light of the preceding arguments in favor of patentability. Hence, failure of this Amendment to directly address an argument raised in the Office Action should not be taken as an indication that the Applicant believes the argument has merit. Furthermore, the claims of the present application may include other elements, not discussed in this Amendment, which are not shown, taught, or otherwise suggested by the art of record. Accordingly, the preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability.

It is believed that no further fees are due with this Response. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

In light of the above remarks and amendments, it is believed that the application is now in condition for allowance and such action is respectfully requested. Should any additional issues need to be resolved, the Examiner is requested to telephone the undersigned to attempt to resolve those issues.

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Respectfully submitted,



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